IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2804 OF 2007

The Solapur Zilla Vinkar Sahakari]
Federation Niyamit,through its Chairman] .. Petitioner

Versus

1. The Collector, Solapur & 2 ors.] .. Respondents

Mr. Suresh S. Shah for the petitioner.

Mr. V.A. Sonpal, AGP, for the respondents No.1 & 2.

Mr. R.D. Soni i/b Ram & Co. for the respondent No.3.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 17TH SEPTEMBER, 2007

P.C. :

1. Heard the learned counsel for the petitioner and the respondent No.3.

2. By this Petition, the petitioner challenges the allotment of the land in question to the respondent No.3 for Industrial use. According to the petitioner, the petitioner had also applied for allotment of the land, but the petitioner's application has not been considered. It is the petitioner's case that the petitioner owns/possesses adjoining land and, therefore,

the petitioner's claim should have been considered in preference over the application made by the respondent No.3. The learned counsel for the petitioner invited our attention to the petitioner's application dated 22nd December, 2003 (Exhibit-B to the Petition). By the said application, the petitioner prayed that the land should be allotted to the petitioner free of cost. As against that, respondent No.3 had paid a sum of Rs.2,78,00,000/- for the allotment. Obviously, in such circumstances, the petitioner's claim could not have been considered.

3. The allotment has already been made in the year 1991 and possession has also been handed over to the respondent No.3. Petition is grossly belated and deserves to be dismissed on this ground also. Accordingly, the Petition is rejected summarily.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]